

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

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LARRY STEVE MELTON, LARRY S.  
MELTON and R & J OF TENNESSEE, INC.

Plaintiffs,

vs.

No.: 1-02-1152

BANK OF LEXINGTON a branch of the BANK  
OF FRIENDSHIP, TERESA HARRIS, B & H  
INVESTMENTS, INC., BENNIE FESMIRE,  
DIANE TUCKER, HAROLD WALDEN  
BLANKENSHIP, DEAN BLANKENSHIP,  
FRANKIE STANFILL, KEVIN CARTER,  
The law firm of MILAM, CARTER & STANFILL,  
REGINA MILLER, TODD HENDERSON,  
WILLIAM WILHITE, DAVID RIDDICK,  
The law firm of HOLMES, RICH, SIGLER,  
& RIDDICK, DON WEBSTER, JIMMY  
BARBOUR, WALDON GWINN, JAMES  
PUTMAN, TIM PILKINGTON, JAMES E.  
SMITH, M.V. WILLIAMS, JR., INVESTMENT  
MANAGEMENT FINANCE, INC. and JOHN  
DOE I, II, III, and IV

Defendants.

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**ORDER GRANTING DEFENDANTS', BRADLEY KIRK AND CARTER,  
STANFILL & KIRK, PLLC, MOTION TO DISMISS THE  
COUNTERCLAIMS/CROSS-CLAIMS COMPLAINT OF LARRY S. MELTON**

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This cause came to be heard upon the motion of the Defendants, Bradley Kirk and  
Carter, Stanfill & Kirk, PLLC, (hereinafter referred to as "Kirk Defendants"), for an  
Order dismissing the Counterclaims/Cross-Claims Complaint filed by Larry S. Melton

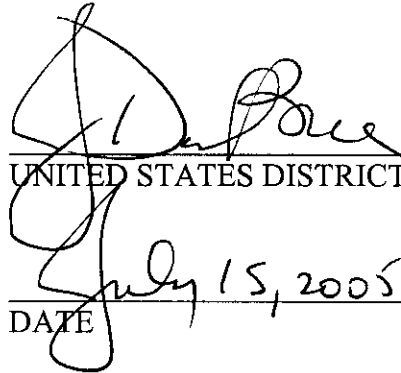
This document entered on the docket sheet in compliance  
with Rule 58 and/or 79 (a) FRCP on 7/18/05

**FILED BY**  
**JUL 15 2005**  
Thomas M. Gould, Clerk  
U. S. District Court  
W. D. OF TN, Jackson

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against them for his failure to abide by Rule 15(d) of the Federal Rules of Civil Procedure. It appears to this Court that the Kirk Defendants' motion is well taken, and, therefore, said motion shall be granted.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Kirk Defendants' Motion to Dismiss the Counterclaims/Cross-Claims Complaint of Larry S. Melton is well taken, and, therefore, said motion shall be granted. Further, this Court finds that said Order shall be final pursuant to and in accordance with Rule 54 of the Federal Rules of Civil Procedure, and that there is no just reason for delay of an entry upon final judgment as to Defendants.

  
UNITED STATES DISTRICT JUDGE  
July 15, 2005  
DATE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 626 in case 1:02-CV-01152 was distributed by fax, mail, or direct printing on July 18, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT